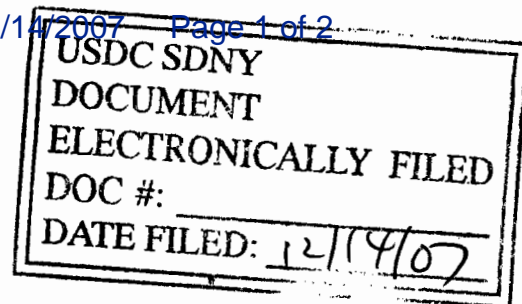


ROY R. KULCSAR

Attorney at Law
27 Union Square West
Suite 503
New York, New York 10003



Rzklaw@aol.com

Tel: (201)446-0294

Fax: (201) 439-1478

December 11, 2007

BY TELECOPIER

212-805-7942

The Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
Federal Courthouse
500 Pearl Street
New York, New York 10007

Re: **United States v. Hector Manuel Batista**
07 cr 714 (AKH)

Dear Judge Hellerstein:

I am taking the liberty of writing to request an adjournment of the conference presently scheduled for Wednesday, December 12, 2007 until January 14, 2008 or such other date that week or thereafter as may be more convenient to this Honorable Court.

At the outset, I would note that I have conferred with Avi Weitzman, Esq. and obtained the Government's consent.

The Government and I have been involved in ongoing discussions and meetings which we believe will result in a resolution of this matter without going to trial. Both sides require additional time to continue efforts with a view to this goal.

In the context of this request, I wish to advise the Court that my father-in-law was unexpectedly admitted to the hospital on an emergency basis on Monday night, December 10th and is scheduled for emergency heart surgery. Under the circumstances, my wife has asked me to be available at home to assist with our two younger sons and whatever else may occur.

In view of the ongoing circumstances, I would ask that the period between December 12, 2007 and the adjourned date be excluded from the calculation of time under the Speedy Trial Act pursuant to 18 USC §3161(h)(8)(A).

MEMO ENDORSED
MEMO ENDORSED

ROY R. KULCSAR

I apologize for the lateness of this submission and thank your Honor for your courteous consideration of this request.

Most respectfully yours,


ROY R. KULCSAR *giz*

SO ORDERED

The defendant's request for an adjournment
From December 12, 2007 until January 18, 2008,
Is granted. Time is excluded pursuant to
18 USC §3161(h)(8)(A) to allow the parties
Additional time for plea discussions with a
View to resolving this case.

10:45 a.m.



HONORABLE ALVIN K. HELLERSTEIN
UNITED STATES DISTRICT JUDGE

Dated: New York, New York
December 11, 2007

CC: Avi Weitzman, Esq
Assistant United States Attorney
By Telecopier